

REMARKS

The Office Action of December 15, 2004, reopened prosecution in the above-noted application and sets forth new grounds for rejection.

More particularly, in the Office Action, claims 1, 3-9, 11-17, 19-25, and 27-32 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 8-9, 12-15, 18-19, 21-24, 27-28, 30-33, and 36 of copending U.S. Application Serial No. 09/440,645.

In response to that rejection, submitted with the present response is a Terminal Disclaimer addressing the outstanding double patenting rejection. That rejection is now obviated.

With respect to the other rejections set forth in the December 15, 2004 Office Action, the concurrently filed Appeal Brief addresses those rejections.

As the present response only simplifies issues on appeal and does not submit any new amendments, affidavits, or other evidence, or add any issues of new matter, entry of the present response is proper.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599
Surinder Sachar
Registration No. 34,423

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

GJM/SNS/law

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